

From: Todd Buckley
To: Microsoft ATR
Date: 1/28/02 11:43pm
Subject: Microsoft Settlement

I am writing this letter to voice my concern over the monopoly power that Microsoft Corporation has used in order to retard innovation in the computer industry. I have been a computer user for almost 20 years and I have seen many technologies come and go, but never have I witnessed a company with such zeal and destructive power. I am sure Microsoft truly believes that it is innovating and improving the quality of life for the general computer user, but I find it interesting that the patents held by Microsoft are significantly smaller than patents held by other companies, such as Apple Computers, Inc.

Where has the innovation come from? Microsoft is excellent at copying and mass marketing technology, but they do not innovate for the good of humanity. Quotes like this sum it up, "Through its conduct toward Netscape, IBM, Compaq, Intel, and others, Microsoft has demonstrated that it will use its prodigious market power and immense profits to harm any firm that insists on pursuing initiatives that could intensify competition against one of Microsoft's core products," Jackson wrote in his findings of fact in November 1999.

This is completely true. I have first-hand experience working with Microsoft and it isn't pleasant. I have watched companies such as Apple Computer, Real Networks, and BE, Inc. create new, beneficial products for the market, but to only get strong armed by Microsoft. And another quote that demonstrates Microsoft's behavior. "Many of the tactics Microsoft employed have also harmed consumers indirectly by unjustifiably distorting competition."

There are numerous things that Microsoft has introduced that have badly hurt the consumer such as Security. Look at how many viruses have been spread. This directly equates to reduced productivity. Where is the innovation?

Think about Digital Video. Apple's Quicktime was the first computer program to use moving images and sound on a broad level for computer users. That was 1990. This led to Real Networks, or Progressive Networks at the time, which created the 3streaming² audio and video market over the Internet. It wasn't until much later that Microsoft finally realized this would be an important part of an end-users experience. Microsoft did not innovate. They used their desktop OS volume to force feed consumers with a second rate technology. After many, seven, development cycles Microsoft has managed to release a good product, but there were good products available before. This behavior does not benefit the end-user.

Apple contracted with a 3rd party to help develop QuickTime for Windows. Unable to countenance Apple's success with a Windows add-on and incapable of

developing an equivalent technology within, the Microsoft camp hired the same company to bail out Video for Windows. Lo and behold, Apple programmers discovered amazing similarities in Microsoft's code. Apple filed an injunction and forced Microsoft to rework their code. As part of the recent deal, Microsoft paid Apple 100 million dollars and Apple has agreed to drop such contentious issues and cross license core technologies. Potentially, of course, the market for QuickTime or a Windows equivalent is enormous. Another example of Microsoft abuse is the user interface. Apple filed patent 5,959,624, in January 1997 which enabled many innovations in the user interface for the desktop computer. Microsoft copied many of these things. Microsoft did not innovate.

There is no justification for Microsoft's behavior. The massive power and influence of Microsoft has hurt the consumer by limiting innovation. There are numerous more examples I could site, but I want to keep this letter to the point. Microsoft is a monopoly. Microsoft has harmed the consumer directly through its actions. Microsoft has not innovated on the consumers' behalf. As this settlement continues please, keep these things in mind. Microsoft should not be allowed to continue with business as usual², but they should be punished accordingly. The punishment should not be a simple solution, but a complete solution that will enable an industry to grow and thrive like a balanced eco-system.

Thank you,

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